

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

DAVID L. COUNTS,  Plaintiff,  vs.  KIM HALVERSON, in her individual capacity; ARAMARK FOOD SERVICES, in its official capacity; UNKNOWN DOC EMPLOYEES, in their individual and official capacities; UNKNOWN DEPARTMENT OF HEALTH EMPLOYEES, in their individual and official capacities; UNKNOWN DOC CONTRACTORS, in their individual and official capacities; and SUMMIT FOOD SERVICE,  Defendants.	4:23-CV-04103-KES  ORDER GRANTING PLAINTIFF'S MOTION TO WITHDRAW MOTION TO ENFORCE SETTLEMENT AND DENYING PLAINTIFF'S MOTION TO ENFORCE SETTLEMENT AS MOOT
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Plaintiff, David L. Counts, filed a motion for court intervention to enforce a settlement agreement between Counts and the State Defendants.<sup>1</sup> Docket 279. Counts now moves to withdraw his motion to enforce the settlement agreement because all the issues on which his motion was based have been resolved. Docket 283. Good cause appearing,

IT IS ORDERED:

1. That Counts's motion to withdraw (Docket 283) is granted.

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<sup>1</sup> Docket 269 identifies the "State Defendants."

2. That Counts's motion to enforce settlement agreement (Docket 279) is denied as moot.

Dated October 21, 2024.

BY THE COURT:

/s/ Karen E. Schreier

KAREN E. SCHREIER  
UNITED STATES DISTRICT JUDGE